IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.588 OF 1987

Allahabad Bank .. Plaintiffs.
Versus
Amarjeet N.Kohli & Ors. .. Defendants.

Mr.J.B.Parab for plaintiffs.
None for defendants.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 11th September, 2007.

P.C.

1. Mr.Parab, on instructions states that a substantial part of the suit claim has been paid by the defendant Nos.1 to 3 outside the Court. The Bank has, therefore, decided to waive off rest of the claim towards principal and interest amount. He submits that in the light of the difficulties faced and the defendants having approached the Bank for an amicable settlement, he has instructions to apply for withdrawal of the suit. Mr.Sahu, Branch Manager of the plaintiffs-Bank is present in Court and Mr.Parab makes this request in his presence.

2. In the light of the statement of Mr.Parab upon instructions, leave is granted to withdraw the suit. The suit is dismissed for want of prosecution. No order as to costs. Refund of Court fees as per rules.

3. However, I wish to observe that the conduct of plaintiffs-Bank in this case has not been one of protecting and safeguarding public funds. It does not depict the sense of urgency that is expected by responsible officials of a Nationalised Bank, who are eager to prosecute legal proceedings and recover public money. The laxity on their part need not be commented further. I wish and hope that the plaintiffs-Bank has during the course of these proceedings realised its mistakes and has adopted appropriate corrective measures.

(S.C.Dharmadhikari, J.)